

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

**RIGHT-OF-WAY NOTICE TO PROCEED**

Certified/Registered Mail-Return Receipt Requested

Right-of-Way or Temporary Use Permit (TUP) Serial Number

NVN-084650 (NTP No. 41)

Date

11/23/2010

Issuing Office

Nevada State Office

Right-of-Way or TUP name

Ruby Pipeline

INSTRUCTIONS — Use Certified or Registered Mail or hand deliver. Send or give original to Holder. Distribute other copies as indicated after receipt date.

Holder:

In accordance with the terms and conditions of the above referenced right-of-way grant or TUP you are hereby authorized to proceed with the activities noted below in the locations specified. Map(s) are attached.  Yes  No

Activity	Location
<p>Approval of Ruby's Implementation Plan 2 and authorization to commence construction in the areas specified under location heading. Ruby will file at a later date for authorization to commence construction in those areas presently excluded due to pending cultural mitigation.</p> <p>Approval for the following: -Commence pipeline construction in the right-of-way areas identified and use and widening of access roads in the locations noted here and in referenced alignment and quadrangle sheets.</p> <p>All activity shall comply with the stipulations and mitigation measures detailed in the Record of Decision and Right-of-Way Grant (July 12, 2010).</p> <p><b>The Winnemucca District Office has the following stipulations:</b></p> <p><u>For cultural resources MPs 504 through 506.</u></p> <p>Archaeological and Tribal Monitors are required during all ground disturbing activities.</p> <p><u>For cultural resources MPs 508 to 509.</u></p> <p>If they have not done so, Far Western must document and record <b>Redacted Text</b>.</p> <p>The <b>Redacted Text</b> must be fenced with the assistance of a Tribal Monitor. <b>Redacted Text</b>.</p> <p>An Archaeological and Tribal Monitor shall be present during all ground disturbing operations.</p> <p>Ruby Pipeline LLC (Ruby), its contractors, and/or its subcontractors will exercise due diligence to avoid damaging <b>Redacted Text</b>.</p>	<p>This NTP applies only to federal lands located within the following mileage range:</p> <p><b>1. Winnemucca District Office, NV</b> In Spread: 5</p> <p>Mileposts (MPs) MPs 498.0 to 509.9</p> <p>And</p> <p>Access Roads MP 498.0 to 509.9: H-38, H-38A, H-39, H-41, H-42</p> <p>And</p> <p>Project Modification No. 122: Access Road H-8WS</p> <p>Project Modification No. 124A: BLM Proposed Drill Well MP 509.8</p> <p>Alignment Sheets Referenced: 300A-204 to 300A-209</p> <p>Quadrangle Sheets Referenced: 86, 86A, 88</p>

If blasting is required in this stretch, Ruby, its contractors, and/or its subcontractors shall submit a blasting plan to the BLM Winnemucca District Office two working days in advance. Blasting mats shall be used in this area.

For wildlife.

As the result of unanticipated construction delays, pipeline construction will occur in winter use areas for pronghorn and mule deer. Therefore, BLM requires wildlife/livestock crossings be placed every 1,200 feet between MPs 504.5 and 509.9. A wider opening, est. 50 feet, as opposed to the standard 8-10 feet is required between MPs 505.5 and 505.75. The idea being to open the spoils pile on the south side of the trench to allow a more open area for large groups of pronghorn (40-100+) to pass through. A favorable area would be east of the directional bend in the pipe or at the bend in the pipe around MP 505.75.

One additional 50 foot opening is required along the ridge, at approximately MP 507.5 for mule deer.

The balance of the openings will be the standard 8-10 feet.

Authorized officer is:

Ron Wenker

Name

Director, BLM, Nevada State Office

Title

Onsite inspection and compliance of the Right-of-Way or TUP stipulations will be conducted by the authorized officer's representative

Mark Mackiewicz, National Project Manager, WO-350

Name of Authorized Officer's Representative

Price Field Office, 125 South 600 West, Price, Utah 84501

Office, Street, Address, City, State, Zip

(435) 636-3616

Office Phone Number

Home Phone Number (Optional)

November 23, 2010

Date

Authorized Officer's or Representative's Signature  
Holder's acknowledgement when notice is delivered in person.

/s/ Mark Mackiewicz

Signature of Recipient

Ruby Pipeline, LLC

Firm Name

Daniel G. Gredvig

Name of Recipient

November 23, 2010

Date